

Roberson  
fenced  
town lots  
referred in  
1901 court  
affidavit  
Roberson.  
No. 3845

The State of Texas of San Antonio County  
County of Austin To Sumner Term 1901  
To Hon L R Moore  
Judge of said County.

Your Petitioner Catherine  
Roberson who sues in her own right and  
as natural Guardian and next friend to her  
minor daughter Fay Roberson, Plaintiffs -  
complaining of O B Roberson, & B Roberson  
Guy Roberson and Emmett Roberson  
Defendants, would respectfully represent  
that Plaintiffs and Defendants each of whom reside in said Austin County  
to the County, that Plaintiff Catherine Roberson  
is the surviving widow of John E Roberson  
deceased, who died in said Austin County  
on or about the day of 1900. That said  
Fay Roberson is the only child the issue of  
the marriage between Plaintiff and ~~deceased~~  
said John E Roberson <sup>who has no legal Guardian</sup> That said O B  
Roberson is a brother of said John E Roberson  
decd That Defendants & B, Guy and Emmett  
Roberson are children of said John E Roberson  
decd, by a former marriage, That said  
Guy & Emmett Roberson are minors under  
the age of twenty-one years and have no legal  
Guardian, That said John E Roberson died  
at the date of his marriage with Plaintiff  
Catherine, on or about July 14, 1892, owned a  
home on the Corporation town track of the  
town of San Felipe, being lots 142, 143, 181-182  
183, 202-203-204-247, 248-249, 268-269, 270- ~~312-314-315-~~  
139-140-141, 184, 185-186-199, 200-201-250-251 & 252  
conveyed said John E Roberson decd by O H Cannon  
wife by deed dated Dec 22, 1880, which deed is  
recorded in Book X pages 327 & 8- deed records  
of Austin County Texas- also lot 426, said

lower of said ~~land~~ conveyed to said John  
P. Robinson decd, by the conveyance of the  
town of San Felipe by deed dated April 11, 1884  
recorded in said Austin County deed record  
in vol. 3, page 61, all of which lots comprising  
about twenty acres of land was the home  
stead of said P. Robinson decd and continued  
the homestead of said John P. Robinson  
decd and Plaintiff Catherine, up to the time  
of his death in the Spring or summer of 1900  
and is now and ever since been the home  
stead of Plaintiff Catherine and said  
minor children, that said John P. Robinson  
at the time of his marriage with Plaintiff  
Catherine also owned lot no 3, in block  
No 24, in the new addition to the town of  
~~San Felipe~~, which last mentioned  
lot was conveyed to said John P. Robinson  
by deed of date Apr 30, 1889, from said  
Corporation of the Town of San Felipe  
which deed is recorded in said deed records  
in vol 17, page 1580109, that on the 1<sup>st</sup> day of  
August 1895, defendant P. A. Robinson  
and John P. Robinson decd bought in  
Partnership from John Hill 98 acres of  
land in Austin County Texas near said  
town Corporation described in said deed  
from said Hill to said Robinsons as  
follows, "All that certain tract or parcel of  
land being a part of the lower half of  
the 1<sup>st</sup> 4<sup>th</sup> Sec San Agnes about four miles  
above the town of San Felipe in  
Austin County Texas, Beginning at a  
stake on the NW side of the San Felipe  
and Bellville road abt four North Cor.

of a tract of land heretofore conveyed  
by said John Hill to Joe Kurtz, thence  
with said road N 46° W 455' or so to a stake  
including a string of fence on this line,  
thence S 45° W 122 1/2' or so to a stake of the N 45° E  
from said string of fence, thence S 45° E  
455' or so to a stake in said Kurtz NW  
line, thence with said line N 45° E 1202 1/2'  
varies to the place of beginning"  
which deed from said John Hill to said  
P A & John E Robinson is of record in  
Vol 17, pages 109 & 110, of said Austin County  
deed records - that said 98 acres of land  
must at the time of the death of said  
John E Robinson, owned jointly by said  
P A Robinson & John E Robinson, each  
owning an undivided one half thereof  
that the same is still owned jointly by  
said P A Robinson and Plaintiff Catherine  
& Fay Robinson, and said X B, Guy Emmett  
Robinson, that Plaintiff Catherine owns  
in her own right an undivided one  
half of one half thereof or one fourth  
of the whole tract, that said Plaintiff  
Fay Robinson, X B Robinson, Guy Robinson,  
and Emmett Robinson, own jointly  
an undivided one half of one half  
thereof in equal portions, said one  
half of said 98 acres being the community  
property of John E Robinson and said  
Plaintiff Catherine, that all the other  
land heretofore mentioned was the  
separate property of said John E Robinson  
now dead, and is owned jointly by said  
children, viz, Plaintiff Fay, defendants



X B. Ray, & Emmett Robinson, in equal shares, each being entitled to an undivided one-fourth of said land being the several lots hereinafter mentioned encumbered however with the one third life estate therein held by plaintiff Catherine, and encumbered also with the homestead rights of plaintiff Catherine and her minor children Fay-- And plaintiff further shows to the Court that said deft P A Robinson and said John E. Robinson at and before the death of said John E. Robinson owned jointly in equal shares, the following described personal property to-wit: <sup>into</sup> ~~some~~ head of mare & mules each branded JT and of the value of \$75<sup>00</sup> each ~~also~~ <sup>also</sup> 13 head of horses viz 4 mares of the value of \$50<sup>00</sup> each 2 horses of the value of \$30<sup>00</sup> each five yearling colts of the value of \$30<sup>00</sup> each & two young colts of the value of \$15<sup>00</sup> each, the total value of all of said mules, horses, mares, yearlings & colts being ~~\$1230<sup>00</sup>~~ <sup>\$660<sup>00</sup> + \$570<sup>00</sup> = \$1230<sup>00</sup></sup> also 8 heads of cattle including all grades sizes & ages, branded JT. and of the value of \$80<sup>00</sup>, also a lot of farm implements, such as, wagon, cultivator, stalk cutter, turn plows and other articles which plaintiff can not now enumerate, but of the estimated value of \$150<sup>00</sup> <sup>all of said property was originally in the name of</sup> and plaintiff Catherine further shows to the Court that after her marriage with said John E. Robinson, there was added to said household improvements as follows an addition enlarging the dwelling

house which improvements is worth \$100.00 also built a barn & hay shed of the value of \$150.00 that she owns an interest in said homestead in addition to her 1/3 life estate equal to 1/2 the value of said improvements. Plaintiff deposes that there is considerable community property between herself & said John E. Robinson deceased that she owns household furniture also that she owns as her own separate property a bed room sink, sewing machine, buggy and some other articles of household furniture, an itemized bill of which community & separate property will be furnished on the trial hereof. Plaintiff Catherine also shows to the court that no Administration has been had on the Estate of said John E. Robinson deceased nor is Administration necessary thereon, also that all of said town lots are used & have been for many years & used as a farm & is & has long been used by said John E. Robinson & his family as a home & it is upon these lots that the residence, barns & other improvements, that since 1895, the said 98 acres of land has also been used for farming by said John E. Robinson deceased & is a part & portion of the said homestead, therefore Plaintiff Catherine says that in the partition of said property she is entitled to have set apart to her as a homestead for herself and said minor children all of said real Estate except the 1/2 of said 98 acres.

Minors considered Plaintiffs, Petition  
for herself & her said Minor daughter Fay,  
being this Suit, And prays process to  
reach all of said defendants Citary them  
each on them to appear before the  
next regular Term of Your Honors  
Court to be held in Bellville Austin  
County Texas, on the 17<sup>th</sup> day of June  
1901. At the hearing before Plaintiffs ~~Attorney~~  
prays that a Guardian Ad Litem be appoin-  
ted to represent the interest of each and  
of said Minors in this Cause - and  
prays for a Partition of all of said  
property <sup>realty &</sup> personal ~~whenever~~ quantity to the  
said O A Robinson & the other parties to  
this Suit, that Commissioners be appointed  
to make such partition of said property  
Real & personal in kind, that all the

rest of said property real & personal  
after giving said P. A. Robinson his  
share thereof he set aside to plaintiff  
Catherine said Minor Children for  
their use as a homestead to be managed  
& controlled by plaintiff Catherine, but  
should the court find that all of said  
property except such as said P. A. Robinson  
shall receive, ought also be partitioned  
between plaintiff Catherine & Fay Robinson  
and X B. Guy & Emmett Robinson, then  
she asks that her share of all of said  
property Real & personal be set aside to her  
and according to her interest therein as  
hereinbefore stated or as may be shown  
to the court & to said defendants X B. Guy  
& Emmett Robinson & plff Fay Robinson  
their respective shares as herein stated or  
as may appear to the court to be right  
& proper, encumbered however with  
the life estate of plaintiff Catherine and  
also encumbered with her homestead  
rights, And for Costs of suit, and for  
all such orders as plaintiff & said Fay  
Robinson & may be entitled to in law  
or equity & for General relief

John P. Bell  
Att'y for plaintiffs

NO. 3845

William H. H. H.  
and

W. J. H. H.  
and

PA Robinson

Filed May 28th 1901  
E. G. H. H. H. H.